

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

CHERYL ANN TOMAO )

Plaintiff, )

v. )

Case No. 05-CV-437-JHP-PJC

FARMERS INSURANCE COMPANY, )  
INC. )

Defendant. )

**ORDER OF DISMISSAL WITH PREJUDICE**

This matter came before the Court on the 7<sup>th</sup> day of July, 2006, on Defendant Farmers Insurance Company, Inc.'s *Motion to Dismiss for Failure to Comply with Court Order and Other Discovery* (hereafter *Motion to Dismiss*) (Document No. 28).

Defendant filed its *Motion to Dismiss* on May 26, 2006. Plaintiff has failed to comply with the Court Order referenced therein to exchange and file a witness and exhibit list. Plaintiff has failed to respond to the *Motion to Dismiss*. The Court, having read the Motion and for good cause shown, does hereby order and decree as follows:

IT IS ORDERED, ADJUDGED AND DECREED by the Court that the *Motion to Dismiss for Failure to Comply with Court Order and Other Discovery* of Defendant Farmers Insurance Company, Inc. should be and the same is hereby **SUSTAINED**.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Plaintiff's Complaint and causes of action should be and the same are hereby dismissed with prejudice.

IT IS SO ORDERED this 10<sup>th</sup> day of July 2006.

  
James H. Payne  
United States District Judge  
Northern District of Oklahoma